

teach or suggest either the method (independent Claim 1) or the system (independent Claim 14) of Applicants' invention *as recited* in the claims. Applicants respectfully submit that there is too much dissimilarity between their base Claims 1 and 14 and the asserted suggestions or teachings of the cited reference. For example, the step of "entering profile information of a user . . ." in Claim 1 is not disclosed in *Reber*, which does not disclose *how* transaction data is provided. Nor does *Reber* disclose the use of user profile information, i.e., neither the transaction data disclosed at Col. 2, line 58 to Col. 3, line 3, or the party identification data mentioned in numerous other passages throughout the reference, include the profile information *about* the user as would be necessary to process a transaction.

Further, the step of "*issuing a bar code* in response to the user [entering and] transmitting" the profile information of Claim 1 is not disclosed in *Reber*. This step of "issuing a bar code" is a separate, precedent step to the step of providing the barcode for purchase of a product. *Reber* does not *issue* a barcode *to* the user for subsequent use in conducting a transaction.

Further, the step of "providing the profile information from the second location to the vendor location *in response to the vendor location processing the bar code*" of method Claim 1 is not disclosed in the cited passage of *Reber*. This step in Applicants' Claim 1 is not the same as authenticating the "second data element indicating a party of the transaction" as defined at Col. 2, lines 59-60.

Thus, although some of the steps of Applicants' Claim 1 (and the elements of Applicants' parallel system Claim 14), where taken separately and out of context may appear to resemble certain disclosures in the reference or appear to resemble something "notoriously well-known" in the knowledge of the Examiner, the entire particular combination as recited in the Applicants' Claim 1 or 14 is not taught by *Reber*, either alone or in combination with the Examiner's *Official Notice*. These remarks apply equally to Claims 2-6, 13-19 and 26 which, because they depend directly or ultimately from the base Claims 1 or 14, contain the same limitations in a combination not taught by the asserted reference and are accordingly believed to be patentable thereover.

In general, Applicants' present inventive concept, as defined by independent Claims 1 and 14 and the associated dependent claims, is directed toward a system that allows a user to enter profile information in order to have issued to the user a unique barcode which, in a centralized system, uniquely associates that user with the barcode. At a later time, the user can provide the barcode in association with the purchase of a product. This occurs during an on-line transaction. When this barcode is provided, profile information of the user will then be extracted from a second location as a function of the processing of the barcode. This profile information is then inserted into a vendor payment form for presentation to the user. This therefore facilitates the generation of the form, i.e., all the vendor has to do is scan the user's barcode and the form is substantially filled out, at least with all of the pertinent information in the user's profile. This substantially decreases the amount of time required to fill in the given form either in an on-line transaction or even in a paper transaction.

One step that is clearly missing from the *Reber* reference is that of inserting the profile information into the vendor payment form. The Examiner has referred to Col. 5, lines -32 as setting forth disclosure as to *Reber* providing the profile information from the second location to the vendor location. However, this portion of the *Reber* patent is redirected toward the authenticating step and does not illustrate that the profile information is sent to the vendor location. Further, the step of inserting the profile information is alleged to have been disclosed at Col. 10, lines 44-49. However, this merely describes the step of creating a record of the transaction. Therefore, Applicants find no disclosure of this particular step and, further, *Reber* is not directed toward the concept of automatically filling in the form or assisting in any manner with filling in the form; rather, *Reber* is merely directed toward utilizing the personal ID to verify a transaction. For these reasons, Applicants therefore respectfully request the withdrawal of this rejection and the allowance of Claims 1-6, 13-19 and 26.

Regarding Claims 7-9 and 20-22, rejected under 35 U.S.C. Sec. 103(a) as being unpatentable over *Reber* in view of U.S. Pat. No. 5,956,699, *Wong et al. (Wong)*, this rejection is respectfully traversed as follows.

In Claim 7, “the step of *automatically inserting* [the profile information into a vendor payment form for presentation to the user] *causes all of the profile information to be entered into the vendor payment form as encoded information.*” (bracketed phrase is from base Claim 1; emphasis is added). This step is not about - and thus does not read upon - a method for the user to encrypt . . . his or her vital personal information himself or herself, before placing such information on the Internet as is disclosed in *Wong* (in the cited passage col. 3, lines 38-62), in order to discourage persons who seek to pirate an individual’s personal information. Rather, Applicants’ Claim 7 is about the *vendor* automatically entering all of the user profile information (previously provided to the vendor in the preceding step) as encoded information into the vendor’s payment form for presentation to the user. Moreover, Applicants’ Claim 7 uses the word ‘encoded’ which simply means converting the information to a different form; whereas the word ‘encryption’ means not only that information is *securely* encoded but also that a key is required to recover the information. Thus, there is no suggestion in *Wong* to combine the teaching of *Wong* with the disclosures of *Reber* unless such suggestion is provided by the Applicants’ Claim 7, clearly an improper rejection. The same argument applies to Claims 8, 9 and 20-22. Therefore Applicants respectfully request the rejection of Claims 7-9 and 20-22 be withdrawn.

Regarding Claims 10 and 23, rejected under 35 U.S.C. Sec. 103(a) as being unpatentable over *Reber* in view of U.S. Pat. No. 5,664,110, *Green et al. (Green)*, this rejection is respectfully traversed as follows. It has been shown hereinabove that the *Reber* reference fails to teach all of the limitations of Claims 1 and 14. The Examiner is correct in asserting that *Green* discloses entering information such as “user name, address and . . . consumer profile” and “other transaction specific information” (Col. 5, lines 26, 28 and 37). However, *Green* does not disclose the other steps or elements of Applicants’ Claims 1 and 14 which are not supplied by the *Reber* reference. Thus, regardless of whether *Green* teaches the recitations of Claim 10 or claim 23, *Green* does not cure the numerous deficiencies of *Reber* and the combination thus fails to obviate either Claim 10 or 23 because these dependent claims respectively include all of the limitations of base Claims 1 and 14. Applicants respectfully request the withdrawal of this rejection of Claims 10 and 23.

AMENDMENT AND RESPONSE

S/N 09/382,426

Atty. Dkt. No. PHL-24,732

Regarding Claims 11, 12, 24 and 25, rejected under 35 U.S.C. Sec. 103(a) as being unpatentable over *Reber* in view of U.S. Pat. No. 6,055,573, *Gardenswartz et al.* (*Gardenswartz*), this rejection is respectfully traversed as follows. It has been shown hereinabove that the *Reber* reference fails to teach all of the limitations of Claims 1 and 14. Further, the Examiner offers *Gardenswartz* as teaching that the registration server 14, which is programmed for the storage of information, inherently includes a database. This is not quite accurate because FIG. 1 shows database 8, which is designated for purchase history information, as a distinct structure *separate* from the registration server 14; moreover, the registration server 14 may be programmed to *generate* records that link various types of information received from consumers and the advertiser's server 18. (See col. 6, lines 54-62). Thus, the structure of *Gardenswartz* and the kinds of information (which do not include unique bar codes or unique ID numbers) for which links may be generated in the reference structure are different from the central registration server recited in Applicants' Claims 11 and 24. For example, Claim 11 requires "a central registration server *having a database* of the profile information associated with respective unique barcodes and unique ID numbers." However, this reference also still does not cure the numerous deficiencies of *Reber*. The combination of *Reber* and *Gardenswartz* thus fails to obviate either Claim 11 or 24 because these dependent claims respectively include all the limitations of the base Claims 1 and 14.

Regarding Claims 12 and 25, depending respectively from Claims 11 and 24, the same arguments apply as for Claims 11 and 24. Thus, regardless of whether the Examiner's *Official Notice* is sufficient to suggest that "the second location is a credit card server" would have been an obvious variation of the registration server of *Gardenswartz* at the time of the Applicants' invention, this combination of references still does not cure the numerous deficiencies of *Reber*.

Neither *Reber et al.*, *Wong et al.*, *Green et al.* or *Gardenswartz et al.*, taken singularly or in combination, render Applicants' present inventive concept, as defined by the claims, obvious or unpatentable. Therefore, Applicants respectfully request withdrawal of the 35 U.S.C. Sec. 103(a) rejection with respect to the claims.

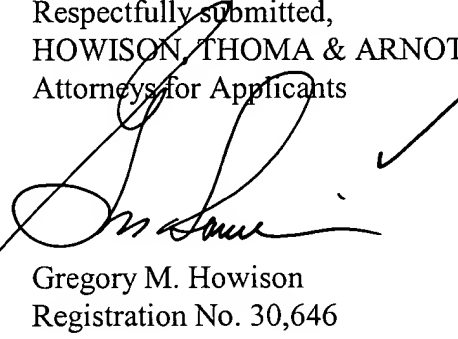
AMENDMENT AND RESPONSE

S/N 09/382,426

Atty. Dkt. No. PHL-24,732

Applicants have now made an earnest attempt in order to place this case in condition for allowance. For the reasons stated above, Applicants respectfully request full allowance of the claims as amended. Please charge any additional fees or deficiencies in fees or credit any overpayment to Deposit Account No. 20-0780/PHLY-24,732 of HOWISON, THOMA & ARNOTT, L.L.P.

Respectfully submitted,
HOWISON, THOMA & ARNOTT, L.L.P.
Attorneys for Applicants

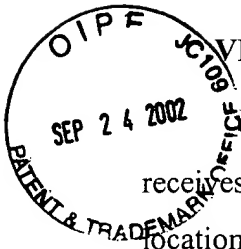


Gregory M. Howison
Registration No. 30,646

GMH:jk

P.O. Box 741715
Dallas, Texas 75374-1715
Tel: 972-479-0462
Fax: 972-479-0464
September 18, 2002

AMENDMENT AND RESPONSE
S/N 09/382,426
Atty. Dkt. No. PHL Y-24,732



VERSION WITH MARKINGS TO SHOW CHANGES MADE

24. (Amended) The method of Claim [4] 1, wherein the vendor location receives the profile information from the second location in response to the vendor location transmitting the bar code to the second location.

24. (Amended) The system of Claim [14] 18, wherein said second location is a central registration server having a database of said profile information associated with respective said unique bar code[s] and said unique ID number[s].

RECEIVED
SEP 30 2002
GROUP 3600